

CHAPTER 79

EDUCATION - POSTSECONDARY

SENATE BILL 19-095

BY SENATOR(S) Todd and Holbert, Bridges, Lundeen, Rankin, Story, Zenzinger, Court, Crowder, Donovan, Ginal, Hisey, Marble, Moreno, Priola, Scott, Smallwood, Tate, Woodward, Garcia;
 also REPRESENTATIVE(S) Hansen and McKean, Arndt, Beckman, Bird, Bockenfeld, Buckner, Cutter, Esgar, Exum, Gray, Hooton, Kipp, Kraft-Tharp, Lontine, McCluskie, McLachlan, Melton, Michaelson Jenet, Roberts, Singer, Sirota, Snyder, Titone, Valdez D., Van Winkle.

AN ACT**CONCERNING THE REVIEW OF THE FUNDING FORMULA FOR INSTITUTIONS OF HIGHER EDUCATION.***Be it enacted by the General Assembly of the State of Colorado:*

SECTION 1. In Colorado Revised Statutes, 23-18-306, **amend** (4); **repeal** (5); and **add** (5.5) as follows:

23-18-306. Duties and powers of the commission - department - role and mission factors and performance metrics - consultation with interested parties - facilitator - reports - definition - repeal. (4) (a) Because the implementation of this part 3 may have unanticipated results, on July 1, 2016, and each July 1 thereafter through July 1, 2020, the commission shall submit a written report to the joint budget committee and to the education committees of the house of representatives and the senate, OR ANY SUCCESSOR COMMITTEES, concerning the status of the implementation of this part 3 and may recommend changes to the provisions of this part 3.

(b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2021.

(5) ~~The general assembly finds and declares that it is vital that Colorado's higher education system is accessible and affordable for all Coloradans. The institutions' tuition policies are an important component of ensuring both the affordability and sustainability of Colorado's higher education system. With the expiration of tuition policies implemented pursuant to recent legislation, it is imperative that the commission and the governing boards of state institutions of higher education, as well as other interested parties, work cooperatively to structure an ongoing tuition~~

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

~~policy for the state. Therefore, by November 1, 2015, the commission shall submit to the joint budget committee and to the education committees of the house of representatives and the senate tuition policies that ensure both accessible and affordable higher education for Colorado's residents. The tuition policies must also reflect the level of state funding for institutions and the need of each institution to enhance the quality of educational programs and offerings and strengthen the financial position of the institution. The commission shall develop the tuition policy recommendations in consultation with the governing boards of the institutions and other interested parties using an inclusive and transparent process.~~

(5.5) (a) COMMENCING IN 2019 AND EVERY FIVE YEARS THEREAFTER, THE COMMISSION SHALL REVIEW THE FUNDING FORMULA ESTABLISHED PURSUANT TO THIS SECTION AND, BY NOVEMBER 1, 2019, AND NOVEMBER 1 EVERY FIVE YEARS THEREAFTER, SUBMIT A REPORT TO THE GOVERNOR, THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY, AND THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, CONTAINING CHANGES TO THE FUNDING FORMULA AND ANY RECOMMENDATIONS FOR LEGISLATIVE CHANGES.

(b) IN CONDUCTING THE REVIEW REQUIRED BY SUBSECTION (5.5)(a) OF THIS SECTION, THE COMMISSION AND THE DEPARTMENT SHALL:

(I) CONVENE ONE OR MORE MEETINGS WITH INTERESTED PARTIES TO DISCUSS THE EXISTING FUNDING MODEL AND TO LEARN OF ISSUES RAISED BY THE INTERESTED PARTIES;

(II) CONDUCT AN ANALYSIS OF THE ISSUES IDENTIFIED BY INTERESTED PARTIES AND POSSIBLE SOLUTIONS;

(III) ENGAGE DIRECTLY WITH THE INSTITUTIONS TO STRIVE FOR CONSENSUS AMONG THE INSTITUTIONS ON ANY PROPOSED CHANGES; AND

(IV) IF APPLICABLE, DEVELOP A SET OF CHANGES TO RECOMMEND TO THE GOVERNOR AND COMMITTEES OF THE GENERAL ASSEMBLY.

(c) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I), THE REPORTING REQUIREMENT PURSUANT TO THIS SUBSECTION (5.5) CONTINUES INDEFINITELY.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 4, 2019